IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25357 of 2004

Between:

1 Banothu Mangya S/o.Late Mathya, aged 81 years,

Occ: Agriculture, R/o.Ammapalem Village,

Konijerla (M) Khammam District.
2 Shaik Moula Saheb S/o.Galib Saheb,

Aged 74 years, Occ: Agriculture,
R/o.Ammapalem Village, Konijerla (M) Khammam District.
3 Gugulothu Ganya S/o.G.Late Rupla,

Aged 84 years, Occ: Agriculture
R/o.Ammapalem Village, Konijerla (M) Khammam District.
4 Parepu Laxminarayana S/o.Late Ramayya,

Aged 81 years, Occ: Agriculture,
R/o.Ammapalem Village, Konijerla (M) Khammam District.
5 Bellamkonda Aswadhanarayana S/o.Late Appaiah,

Aged 72 years, Occ: Agriculture,
R/o.Ammapalem Village, Konijerla (M) Khammam District.
6 Kuppala Laxminarasaiah S/o.Late Veeraiah,

Aged 81 years, Occ: Agriculture,
R/o.Ammapalem Village, Konijerla (M) Khammam District.
7 Shaik Lalu Hussain S/o.Late Galib Saheb,

Aged 84 years, Occ: Agriculture,
R/o.Ammapalem Village, Konijerla (M) Khammam District.
8 Tejavothu Chandru S/o.Late Ramulu,

Aged 72 years, Occ: Agriculture,
R/o.Ammapalem Village, Konijerla (M) Khammam District.

..... PETITIONERS

AND

The Government of India, Ministry of Home Affairs

(Freedom Fighters Division) Rep. by its Dy.Secretary to

Government of India, Loknayak Bhavan, 1St Floor, New Delhi.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ or direction preferably writ of Mandamus directing the inaction of the respondent in considering the applications of the petitioners for grant of pension under SWATANTRA SAINIK SAMMAN PENSION SCHEME even though they have applied on 13.2.1996 is illegal, arbitrary and violative of principles of natural justice and consequently direct the respondent to consider the application of the petitioners for grant of pension and pass such other or further orders petitioners for grant of pension and pass such other or further orders.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondent: MR P.RAKESH, ASC FOR CG

The Court made the following:

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ORDER:

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The petitioners seek a writ of mandamus, declaring the inaction on the part of the respondent in considering the applications of the petitioners dated 13.02.1996 for grant of pension under Swatantra Sainik Samman Pension Scheme, as illegal and arbitrary.

The petitioners contend that they are all freedom fighters and participated in the freedom movement of 1947-48 and suffered a lot. As per Swatantra Sainik Samman Pension Scheme, they are entitled for pension, and therefore they have submitted their representations to the respondent, but so far no action has been taken.

Heard the learned counsel for the petitioners and the learned Additional Standing Counsel for the Central Government, and with their consent, the writ petition itself is disposed of at the stage of admission.

Admittedly, the writ petition filed by some of the writ petitioners herein for the self-same relief has been dismissed by this Court.

In the circumstances, I see no reason to entertain this writ petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No costs.

Dated: 18.01.2005

dsr/nsr

ASSISTANT REGISTRAR

To:

1. The Deputy Secretary to Government

of India, Ministry of Home Affairs

(Freedom Fighters Division)

Loknayak Bhavan, 1st Floor, New Delhi

2. Two CD copies